



# **Austin City Council MINUTES For**

**NOVEMBER 21, 1991 - 1:00 P.M.**

## **MEETING CALLED TO ORDER - 1:00 P.M.**

Mayor Todd called to order the meeting of the Council, noting the presence of all members.

## **MINUTES APPROVED**

1. Approval of Minutes for Regular Meetings of November 7 and 14, 1991

On Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

## **1:00 P.M. - CITIZEN COMMUNICATIONS**

2. Mr. David Van Os discussed Austin Cablevision issues.
3. Mr. Henry Ratliff discussed City opportunities.
4. Mr. Leonard Lyons discussed Convention Center and Cable Office funding.
5. Mr. David Pickel discussed the effect of the weather normalization clause on Southern Union Gas Co. customer's bills.
6. Mr. Robert K. Goodnow requested support from the City Council to establish a permanent base station for Austin Police Monitors (APM) and continuing support allow APM to continue serving the community.
7. Mr. Britt Edwards requested City Council support of Austin Police Monitors.
8. Ms. JoAnn Wilson requested financial support from the Council to allow Austin Police Monitor 9 to remain the vital link to those who can only be provided emergency assistance by way of CB radio transmission.
9. Mr. David Zapata, to request renewed funding and City support of the Austin Police Monitor 9 Program. Not present.

10. Mr. Mark Rogers requested renewed funding for the Austin Police Monitor 9 Program.
11. Mr. Danny Dolinger pleaded with Council to consider executing the will of the people.

**ITEMS CONTINUED FROM PREVIOUS MEETINGS**

12. Approved third reading of an Ordinance adopting guidelines and criteria for Tax Abatement for 1991-93. (Mayor Pro Tem Charles Urdy and Mayor Bruce Todd). (Public Hearing Closed - No Citizen Sign-Up.)

On Mayor Pro Tem Urdy's motion, Councilmember Reynolds' second, 6-1 Vote, Councilmember Epstein voted No.

Councilmember Epstein had made a motion to amend the motion to delete number three, page 3, 15. Motion died due to lack of second.

13. Approved execution of a construction award to POOL AND ROGERS PAVING COMPANY, Buda, Texas, for East Austin Miscellaneous Street and Drainage improvements, Phase I, in the amount of \$1,114,997.10. (Funding in the amount of \$616,486.70 included in C.I.P. 825-607-2043; \$28,653.75 included in C.I.P. 837-607-2381; \$62,397.75 included in C.I.P. 388-227-0989; \$107,458.90 included in C.I.P. 439-237-0718; \$300,000 included in C.I.P. 837-607-2390.) Low bid of three (3). 2.69% MBE, 4.31% WBE Subcontractor participation.

On Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

14. Approved third reading of an Ordinance to convert the City's existing Drainage Fund to a City-owned Drainage Utility, as authorized by the 72nd State Legislature which amended Subchapter C, Chapter 402 of the Local Government Code (Municipal Drainage Utility Systems Act.) [Public Hearing Closed - No Citizen Sign-Up]. (Related to Item 13)

On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

15. Approved third reading of an Ordinance establishing Drainage Utility Fees as authorized by the Drainage Utility Ordinance. [Public Hearing Closed - No Citizen Sign-Up.] (Related to Item 14)

On Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

## ORDINANCES

16. Amended Ordinance No. 901004-A by correcting the legal description of the property locally known as 12126 North U.S. 183, Zoning Case No. C14-89-0024.
17. Accept and appropriate a grant award of \$34,780 from the State of Texas, Governor's Office, Criminal Justice Division for Victim Serv the State of Texas, Governor's Office, Criminal Justice Division for Victim Services in the Police Department and amend Ordinance No. 910912-A by amending the 1991-92 Special Revenue Fund budget, increasing appropriations by \$34,780 and adding 1.5 FTEs.

#16-17 on Councilmember Garcia's motion, Councilmember Epstein's second, 7-0 Vote.

18. Amend the 1991-92 Operating Budget as follows: increase the General Fund's budgeted beginning balance by \$75,512 and appropriating \$75,512 to Financial Services; increase Electric's appropriations by \$143,893; increase Water/Wastewater's appropriations by \$82,699; increase Solid Waste Services' appropriations by \$3,447, and increase Aviation's appropriations by \$7,117 to fund a Minority Business Enterprise Utilization Research Project (Disparity Study). (Related to Item 19)

Pulled from agenda.

## RESOLUTIONS

19. Approve negotiation and execution of a contract with D.J. MILLER AND ASSOCIATES (MBE), Atlanta, Georgia, for the performance of the Minority Business Enterprise Utilization Research Report (Disparity Study), in an amount not to exceed \$312,668. (Funding provided by amending the ending balances of Electric Utility Department (\$143,893); Water and Wastewater Utility (\$82,699); Solid Waste Services \$3,447); and Aviation Department (\$7,117). Best proposal of five (5). 13% MBE, 8% WBE Subcontractor participation. (Related to Item 18)

Pulled from agenda.

20. Authorized negotiation and execution of a License Agreement with Travis County to construct and maintain an underpass at Railroad Milepost 71, Engineering Station 776+05, where future Howard Lane crosses the railroad. (All costs to be paid by Travis County). [Related to Item 21]
21. Authorized negotiation and execution of a License Agreement with Travis County for construction and maintenance of an earthen embankment and drainage improvements in a portion of City-owned

**RESOLUTIONS - (Continued)**

railroad right-of-way adjacent to Howard Lane. (All costs to be paid by Travis County.) [Related to Item 20]

#20-21 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

22. Approved authorization to amend a contract with LOUIS DREYFUS ENERGY CORPORATION, Bel Air, Maryland, for an increase in the current fuel contract, in an amount not to exceed \$346,000, or 16.15% above the original contract amount of \$2,141,363, for a total contract amount not to exceed \$2,487,363. (Funding included in the 1991-92 Operating Budget of the Department of Public Works and Transportation.)

On Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

23. Approved execution of a twelve (12) month agreement with LOUIS DREYFUS ENERGY CORPORATION, Bel Air, Maryland, for the purchase of gasoline and diesel fuel to be used by City departments to fuel vehicles and equipment, in an amount not to exceed \$3,100,000, with the option to extend for two (2) additional twelve (12) month periods in amounts not to exceed \$3,224,000 and \$3,352,960 respectively, for a total amount not to exceed \$9,676,960. (Funding in the amount of \$2,406,250 included in the 1991-92 Operating Budget of the Public Works and Transportation Department; and \$177,083.30 included in the 1991-92 Operating Budget of Water and Wastewater Department. Funding for the final two (2) months of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) Low bid of four (4). 10% MBE, 0% WBE Subcontractor participation. Reference No. 9100903-1RF.

On Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

24. Approved execution of a contract award with WAGNER CONSTRUCTION CO., San Antonio, Texas, for construction of the Sixth Street Streetscape Improvements Phase I project, in the amount of \$2,331,000. (Funding in the amount of \$2,275,000 was included in C.I.P. 825-607-2045; and \$56,000 included in C.I.P. 837-607-2380.) Low bid of four (4). 4.96% MBE, 2.57% WBE Subcontractor participation. Reference No. 91-0954-2-SA. (Recommended by Sixth Street Subcommittee)

On Councilmember Nofziger's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

25. Approved execution of a construction award to SCHROEDER CONSTRUCTION COMPANY, Austin, Texas, for Ludwig Subdivision wastewater improvements Phase I, in the amount of \$258,250.50. (Funding included in C.I.P. 443-237-0748). Low bid of nine (9). 8.48% MBE, 8.77% WBE Subcontractor participation.

**RESOLUTIONS (continued)**

26. Approved the selection (RFQ) of professional engineering services to JONES & NEUSE, INC., Austin, Texas, for the Bergstrom Wastewater Treatment Plant Decommissioning Project, in the amount of \$177,000. (Funding included in C.I.P. 436-237-0363). Best proposal of eleven (11). 10% MBE, 5% WBE Subcontractor participation.

#25-26 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

27. Approved the selection (RFQ) of professional engineering services to WESTIN ENGINEERING, INC., San Jose, California, for water distribution control system improvements, in the estimated amount of \$1,155,000. (Funding included in C.I.P. 388-227-0795.) Best proposal of eight (8). 10% MBE, 5% WBE Subcontractor participation.

On Councilmember Epstein's motion, Councilmember Reynolds' second, 7-0 Vote.

28. Approved execution of a contract with AMDAHL CORPORATION, Austin, Texas, for the purchase of Direct Access Storage Devices (DASD) consisting of disk drives, a controller unit upgrade, associated cables, shipping, installation and five (5) years of maintenance, in an amount not to exceed \$505,000. (Funding in the amount of \$320,000 included in the 1991-92 Operating Budget of the Information Systems Department; \$185,000 included in CIP 317-117-2075.) Low bid of three (3). The prime did not identify any subcontracting opportunities. Reference No. 910946-3JR.

29. Approved execution of a twelve (12) month contract with COMPUTER ASSOCIATES, Austin, Texas, for continued maintenance and licensing of Database Management Software for the Police Department, in an amount not to exceed \$33,056. (Funding included in the 1991-92 Operating Budget of the Police Department.) Sole Source. The prime did not identify any subcontracting opportunities. Reference No. 870A008935.

#28-29 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

30. Approved execution of an eleven (11) month service agreement with GENERAL MEDICAL CORPORATION, Austin, Texas, for the purchase of medical, laboratory and dental supplies to be utilized by the Health and Human Services Department/Travis County Health Department, in an estimated amount of \$192,677, with an option to extend for two (2) additional twelve (12) month periods, in an estimated amount of \$210,193 per extension, for a total estimated amount of \$613,063. (Funding included in the 1991-92 Operating Budget of the Health and Human Services Department/Travis County Health Department. Each

**RESOLUTIONS - [continued]**

clinic will be charged appropriately as it requisitions items from the contractor.) Single bid. The prime did not identify any subcontracting opportunities.

On Councilmember Reynolds' motion, Councilmember Nofziger's second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Garcia out of the room.

31. Approved the execution of a twelve (12) month service agreement with DENTAL PROSTHETICS, Austin, Texas, for dental prosthetics services for approximately 240 clients of the Health and Human Services Department, in an amount not to exceed \$44,304, with the option to extend for two (2) additional twelve (12) month periods, in an amount not to exceed \$44,304 per option, for a total amount of \$132,912. (Funding included in the 1991-92 Operating Budget of the Health and Human Services Department. Funding for each extension will be requested in the 1992-93 and 1993-94 budgets.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 910700-3SA.

On Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

32. Authorized Travis County Housing Finance Corporation (TCHFC) to originate mortgage loans within the corporate limits of the City of Austin under its 1991A and 1991B Residential Mortgage Purchase Bond Programs (Bond Program).

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

33. Set a public hearing to receive citizen comments regarding the proposed Comprehensive Housing Affordability Strategy (CHAS).  
Date and time: December 5, 1991 at 5:00 p.m.

On Councilmember Larson's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmember Garcia out of the room.

34. Set a public hearing on an amendment to the Land Development Code (C2o-91-03) concerning parking requirements and supplemental use regulations for restaurants and cocktail lounges. Date and time: January 9, 1991 at 5:30 p.m.

On Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

**3:00 P.M. - ELECTRIC UTILITY (Items 35-46)**

35. Electric Utility Commission Report was presented by Marilyn Jones.
36. Resource Management Commission Report. No report was given.
37. Monthly Management Report (Fiscal, Operations, Fuel) was given by John Moore, Director of Electric Utility.
38. Monthly Utility Receivable Report was given by Betty Dunkerley, Director of Finance.
39. Approved execution of a contract with PLAN B PIPELINE, INC., Seguin, Texas, for repair and hydrotesting of Decker Power Plant's natural gas pipeline, in an amount not to exceed \$90,000, which includes an \$18,000 or 25% contingency. Low bid of two (2). (Funding included in 1991-92 Operating Budget of the Electric Utility Department.) The prime identified an area of subcontracting; there were no known M/WBES to perform the scope of work. Reference No. 90980-3JD.
40. Approved execution of a contract with DRESSER PUMP DIVISION, Huntington Park, California, for the purchase of repair parts for the Decker Power Plant Unit #2 Main Boiler Pump, in an amount not to exceed \$66,482. (Funding included in 1991-92 Operating Budget of the Electric Utility Department.) Single bid. The prime identified two areas of subcontracting; there were no known M/WBES to perform the scope of work. Reference No. 910862-1CM.
41. Approved execution of contract with POLELINE ELECTRIC SUPPLY, INC., Austin, Texas, for transmission line conductor, in an amount not to exceed \$570,700.42. Low bid of four (4). (Funding included in Electric Utility CIP Budget). The prime did not identify any subcontracting opportunities. Reference No. 910968-1RW.
42. Approved execution of a contract amendment with WESTON SERVICES, INC., Houston, Texas, for remediation of hazardous materials at the Seaholm Power Plant site, in an amount not to exceed \$1,905,627. This amendment will increase the existing contract amount of \$1,941,400 to a total amount not to exceed \$3,847,027. (Funding included in Electric Utility CIP Budget.) Reference No. SA-454-90.
43. Approved execution of a contract with JEM ENGINEERING AND MANUFACTURING, INC., Tulsa, Oklahoma, for the purchase of structural steel to be used at the Seaholm Substation, in an amount not to exceed \$88,944. Low bid of four (4). (Funding included in Electric Utility CIP Budget.) The prime did not identify any subcontracting opportunities. Reference No. 910886-1RW.
44. Approved execution of four (4) six (6) month supply agreements for the purchase of miscellaneous electrical supplies such as insulators, splicing kits, and guy wires with the following vendors:

**ELECTRIC UTILITY (Items 35-46) [continued]**

PRIESTER-MELL & NICHOLSON, INC., Austin, Texas, in an amount not to exceed \$95,723.45; POLELINE ELECTRIC SUPPLY, INC., Austin, Texas, in an amount not to exceed \$43,863.25; TECHLINE, INC., Austin, Texas, in an amount not to exceed \$60,628.50; SOUTHWAY ELECTRIC UTILITY, Austin, Texas, in an amount not to exceed \$44,323.25, for a total amount not to exceed \$244,538.45 with two (2) additional six (6) month extension options for each agreement in an amount not to exceed \$95,723.45, \$43,863.25, \$60,628.50, and \$44,323.25 respectively per extension, for a total amount not to exceed \$733,615.35. Low bids of nine (9). (Funding Included in Electric Utility Operations and Maintenance Budget.) The primes did not identify any subcontracting opportunities. Reference No. 910901-1B0.

45. Approved a Professional Services Agreement with ROBUCK & ASSOCIATES, Atlanta, Georgia, for the development of an Electric Utility Department Work Management System in an amount not to exceed \$150,000. (Funding Included in Electric Utility Operating Budget.) Best proposal of eight (8). 5% MBE, 10% WBE Subcontractor participation.
46. Approved execution of Amendment No. 1 to the STP Nuclear Property Insurance Project Agreement to enable STP to obtain newly available increased property insurance coverage. (Funding is included in the 1991-92 Electric Utility STNP Operating and Maintenance Fund.)

#39-46 on Councilmember Garcia's motion, Councilmember Larson's second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Nofziger out of the room.

**47. 3:30 P.M. - MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION**

Council recessed from 4:40 to 5:05 P.M. for a meeting of the Austin Housing Finance Corporation.

**4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES**

**ZONING DISTRICTS**

48. C14-91-0073 - ROBERT C. RALEY, by Blazier, Rutland & Lerner, 4019 Spicewood Springs Road. From SP-3 to LO. Planning Commission Recommendation: To grant LO, subject to conditions.

First Reading - Granted "LO-CO" Planning Commission recommendation. Council stipulated that a site plan for the project shall not be subject to approval by the neighborhood association, and the following uses would not be prohibited: (1) churches, (2) group homes, and (3) family homes. Public comment will be allowed at the time of the second reading. - On Councilmember Larson's motion, Councilmember Reynolds' second, 7-0 Vote.



#### PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

49. 4:30 P.M. - Appeal by Dorcas Calvert of the Building Standards Board Order to demolish the building located at 3515 East 12th Street.

Pulled off agenda.

50. 5:00 P.M. - Report on Affirmative Action Plan for FY 1990-91 and Planned Initiatives for FY 1991-92.

Public hearing closed, on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 5-0 Vote, Councilmembers Epstein and Reynolds out of the room.

51. 6:30 P.M. - Amend Chapter 13-5 of the Land Development Code to modify parking requirements for new or expanded cocktail lounges, bowling alleys and billiard parlors. (C2o-91-05).

Public hearing closed and action approved, on Councilmember Reynolds' motion, Councilmember Larson's second, 6-0 Vote, Councilmember Garcia out of the room.

#### ITEMS FROM COUNCIL

52. Adopted a Resolution approving changes in the Social Policy Advisory Committee and its bylaws to increase the number and types of member entities. (Councilmember Bob Larson)

On Councilmember Nofziger's motion, Councilmember Larson's second, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Epstein and Garcia out of the room.

53. Discussed/approved an Interlocal Agreement with the University of Texas and Travis County for the purpose of conducting an economic impact assessment on the proposed Balcones Canyonland Conservation Plan. (Mayor Bruce Todd)

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

54. Discussed and gave guidance to staff on the upcoming Rules and Regulations for the Comprehensive Watershed Ordinance (CWO). [Councilmembers Ronney Reynolds and Michael "Max" Nofziger]

Accepted Planning Commission sub-committee as a nucleus to work with staff to develop guidelines for CWO. On Councilmember Nofziger's motion, Councilmember Reynolds' second, 7-0 Vote.

55. Directed the City Manager to prepare a budget for 1992-93 that includes funding for an additional 47 police officers, with the addition of a similar number of police officers in future budget

ITEMS FROM COUNCIL - (continued)

years until the Council's goal of a police force that is comparable in strength to the national average for cities of a similar size is reached. (Councilmember Louise Epstein and Mayor Bruce Todd)

On Councilmember Epstein's motion, Mayor Todd's second, 6-0 Vote, Councilmember Reynolds out of the room.

57. Approve a Resolution rescinding the grant agreement with the Texas Parks and Wildlife Department for the Veloway. (Councilmembers Gus Garcia and Bob Larson)

Bring back to Council on December 19, 1991.

EXECUTIVE SESSION (No Public Discussion on These Items)

Council did not hold an executive session.

The City Council will announce that it will go into Executive Session, if necessary, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision, or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pending/Contemplated Litigation - Section 2, Paragraph a

56. Discussion of J. Lewayne Kelly v. City of Austin, et al; Cause No. 210843

SPEAKERS AT END OF MEETING

Robert Singleton, Al St. Louis, Henry Ratliff, Lori Renteria

ADJOURN

The meeting was adjourned at 10:26 P.M.